

#### REMARKS/ARGUMENTS

Claims 1-6, 8-13, 15-19 are pending in the application. Claims 1, 8, and 15 have been amended. Claims 7, 14, and 20 have been cancelled without prejudice. Reconsideration is respectfully requested. Applicants submit that the pending claims 1-6, 8-13, 15-19 are patentable over the art of record and allowance is respectfully requested of claims 1-6, 8-13, 15-19.

Applicants would like to thank Examiner Darno for holding a telephone interview with their representative, Janaki K. Davda, on September 12, 2007. During the telephone interview, proposed claim amendments and the Roth and Kekre patents were discussed. Applicants would like to thank Examiner Darno for indicating that the claims, as amended, are not taught or suggested by the Roth and Kekre patents.

Claims 1, 3-5, 7-8, 10-12, 14-15, and 17-20 are rejected under 35 U.S.C. 103(a) as being obvious over Roth et al. (U.S. Patent No. 6,738,152) in view of Kekre et al. (U.S. Patent No. 7,191,299). Applicants respectfully traverse.

Applicants' Specification, at page 3, paragraph 10 describes the problem being addressed as follows:

Because different customers have different needs, different copy services solutions are formed to address the needs. However, it is difficult to keep up with the growing number of copy services solutions. Many of these copy services solutions, given hardware alone, require manual intervention, which is inefficient and leads to human error. Also, current copy services solutions involve writing complex management code for specific copy types that run complex scripts, which are difficult to set up. This is a very time consuming and error prone task for a storage administrator.

To solve this problem, Applicants' claims 1, 8, and 15 describe receiving a document describing the copy services solution, wherein the copy services solution describes a chain of multiple base copy types, wherein the document describes at least one base copy type with an event and an action to be performed for that event, wherein the document is not directly executable, and wherein the base copy types include a continuous base copy type that refers to a base copy services solution in which copying is performed from a first storage to a second

storage when data is written on the first storage and a point-in-time base copy type that refers to a base copy services solution in which a copy of data is made at a given point in time, and wherein the copy services solution is capable of being changed by modifying the document (e.g., Specification, page 15, paragraph 36); converting the document to executable code by identifying a base copy services solution to implement for each base copy type described in the document based on hardware on which an application program that reads the document is executing (e.g., Specification, page 14, paragraph 33); and executing the code to perform the base copy services solutions described with the chain of multiple base copy types in the document.

For example, Applicants' Figures 4A, 4B, and 5 describe example chains of base copy types. As described in the Specification, page 10, paragraph 27, one copy services solution may chain together a continuous base copy type, a point-in-time base copy time, another point-in-time base copy type, and a continuous base copy type.

The Roth patent describes a technique for printing to a selected destination in a computer system (Abstract). The Roth patent does not teach or suggest *receiving a document describing the copy services solution, wherein the copy services solution describes a chain of multiple base copy types*, wherein the document describes at least one base copy type with an event and an action to be performed for that event, wherein the document is not directly executable, wherein the base copy types include a continuous base copy type that refers to a base copy services solution in which copying is performed from a first storage to a second storage when data is written on the first storage and a point-in-time base copy type that refers to a base copy services solution in which a copy of data is made at a given point in time, and wherein the copy services solution is capable of being changed by modifying the document. Instead, the Roth patent describes generating print events to provide a specific print service to a client application where the print events request information from the client application (Col. 2, lines 44-47). Because the claimed document describes the copy services solution, there is no need to request information from the client application. Therefore, the Roth patent teaches away from the claimed invention.

Also, because the Roth patent does not teach or suggest the claimed document, the Roth patent does not teach or suggest that the copy services solution is capable of being changed by modifying the document.

Moreover, the Roth patent does not teach or suggest converting the document to executable code by identifying a base copy services solution to implement for each base copy type described in the document based on hardware on which an application program that reads the document is executing. Instead, the Roth patent describes that the print manager converts higher level graphics instructions into a language of control commands for use with a target printer (Col. 1, lines 12-14).

The Roth does not teach or suggest executing the code to perform the base copy services solutions described with the chain of multiple base copy types in the document. Instead, the Roth patent describes tile printing (Col. 9-10, lines 52-67, lines 1-23). However, tile printing does not teach or suggest performing the base copy services solutions described with the change of multiple base copy types in the document (where, from an earlier element of claim 1, the base copy types include a continuous base copy type that refers to a base copy services solution in which copying is performed from a first storage to a second storage when data is written on the first storage and a point-in-time base copy type that refers to a base copy services solution in which a copy of data is made at a given point in time).

The Kekre patent was cited as teaching a continuous base copy type. The Kekre patent does not cure the defects of the Roth patent.

Thus, claims 1, 8, and 15 are not taught or suggested by the Roth or Kekre patents, either alone or in combination.

Dependent claims 3-5, 10-12, and 17-19 incorporate the language of one of independent claims 1, 8, and 15 and add additional novel elements. Therefore, dependent claims 3-5, 10-12, and 17-19 are not taught or suggested by the Roth or Kekre patents, either alone or in combination, for at least the same reasons as were discussed with respect to claims 1, 8, and 15.

Claims 2, 6, 9, 13, and 16 are rejected under 35 U.S.C. 103(a) as being obvious over Roth et al. (U.S. Patent No. 6,738,152) in view of Kekre et al. (U.S. Patent No. 7,191,299) and in further view of Goiffon et al. (U.S. Patent No. 6,226,792). Applicants respectfully traverse.

The Goiffon patent does not cure the defects of the Roth and Kekre patents. In combination, the Roth, Kekre, and Goiffon patents do not teach or suggest the subject matter of claims 1, 8, and 15.

Dependent claims 2, 6, 9, 13, and 16 incorporate the language of one of independent claims 1, 8, and 15 and add additional novel elements. Therefore, dependent claims 2, 6, 9, 13, and 16 are not taught or suggested by the Roth, Kekre or Goiffon patents, either alone or in combination, for at least the same reasons as were discussed with respect to claims 1, 8, and 15.

#### Conclusion

For all the above reasons, Applicants submit that the pending claims 1-6, 8-13, 15-19 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0449.

The attorney of record invites the Examiner to contact her at (310) 553-7973 if the Examiner believes such contact would advance the prosecution of the case.

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